

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re Terrorist Attacks on September 11, 2001	03 MDL 1570 (GBD) (FM) ECF Case
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This document relates to:

Bauer et al. v. al Qaeda Islamic Army, et al., 02-cv-7236 (GBD)(FM)
Ashton et al. v. al Qaeda Islamic Army, et al., 02-cv-6977 (GBD)(FM)

DOROTHEA M. CAPONE, Esq., hereby states under penalty of perjury that:

1. I am an attorney representing the forty (40) *Bauer* Plaintiffs (herein referred to as “*Bauer II*”) and the four (4) *Ashton* Plaintiffs who are the subject of this motion in the above-captioned litigation, and submit this Declaration in support of the motion for final judgment on behalf of the individual Plaintiffs identified in Exhibits A and B attached hereto.

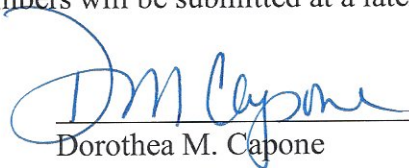
2. The sources of my information and the basis for my belief in my statements contained herein are my personal involvement in this matter, my firm’s representation of the forty (40) *Bauer II* and four (4) *Ashton* Plaintiffs listed in Exhibits A and B in connection with the September 11th terror attacks, other court records relating to the multi-district litigation to which the forty (40) *Bauer II* and four (4) *Ashton* Plaintiffs are parties, and conversations with family members of these Plaintiffs. Any matters about which I lack personal knowledge are asserted herein upon information and belief.

3. All of the decedents listed in Exhibits A and B died in the September 11, 2001 terror attacks and are survived by the immediate family members whose relationships to the decedents are described in Exhibits A and B.

4. The family members listed in Exhibits A and B sought compensation through the September 11th Victim Compensation Fund ("VCF"), and a VCF award was issued to some of the beneficiaries of the decedents listed in Exhibits A and B. My firm is in the process of obtaining economic loss information for the forty (40) *Bauer II* and the four (4) *Ashton* Plaintiffs listed in Exhibits A and B, and will submit future motions for summary judgment as to economic losses on behalf of these Plaintiffs at a later date.

5. Consistent with Magistrate Judge Netburn's October 20, 2016 Order, the forty (40) *Bauer II* and four (4) *Ashton* Plaintiffs listed in Exhibits A and B will provide supplemental briefing on the issue of the appropriate scope of punitive damages and whether the statutory rate of interest is appropriate in certain cases. In addition, Declarations in support of those family members of the decedents in the forty (40) *Bauer II* and four (4) *Ashton* Plaintiffs who are functionally equivalent to immediate family members will be submitted at a later date.

Dated: October 21, 2016
New York, NY


Dorothea M. Capone